

satisfy the "not to be used for primarily commercial purposes" test.

Suitability of Facilities and Care

Under CITES, the Service must be "satisfied that the proposed recipient of a living specimen (to be imported) is suitably equipped to house and care for it". Under the regulations implementing the Act, the Service must determine that the applicant has "the expertise, facilities, or other resources" to successfully accomplish the objectives. To aid in satisfying these requirements, applicants must provide the following information in addition to the information required in 50 CFR 17.22:

- Copies of protocols for monitoring general health and behavior. In lieu of new protocols, an applicant may submit copies of protocols recommended by a coordinated international panda conservation effort.

- Diagrams and photographs clearly depicting all enclosures where the panda may be housed, including any off-exhibit areas and panda holding area(s) in relation to other facilities, including roads adjacent to such areas.

- Information to demonstrate the applicant has consulted with at least two other facilities that have successfully held pandas in recent years, that the applicant has facility features that address the National Zoological Park's recommended measures for giant panda care and facilities, and that zoo staff, especially keepers and veterinarians, have had proper training and experience to care for pandas.

- Approval of facilities by the Chinese or appropriate authority in the lending country, if such a stipulation has been made in a contractual agreement. If approval has not been given prior to applying for the permit, there must be a statement from the applicant certifying that the agreement stipulation will be satisfied before animals are imported.

Transfer of Pandas to Other Entities Within the United States

Applicants proposing to import giant pandas and subsequently transfer them

to another entity within the United States should indicate this in the initial import application. The proposed recipient of the panda will need to apply for and receive an interstate commerce permit under the Act prior to the transfer since the pandas are being held under a loan (e.g., lease-hold agreement) from China or other lending entity. The proposed recipient of the panda needs to provide all the information required by the Act, its regulations, and this policy. The Service will facilitate, to the extent possible, the transfer of animals within the United States when part of a coordinated breeding program. If the receiving institution has a panda permit on file with the Service, it can reference the permit number and information in this file, and provide any new information for the Service to review in consideration of an interstate commerce permit. These applications will be published in the **Federal Register**, and so the applicant will need to allow at least 90 days for processing. Such transfers must also have the prior approval of China or the entity that owns the animals. The number of times an individual panda is transferred within the United States will be closely monitored to protect the overall health and well-being of the animal.

Response to the CITES Secretariat's Views on Giant Panda Loans

The Service notes with approval the recommendation of the Secretariat that no exemptions be granted to the requirements of Article III of the Convention for the shipment of giant pandas, even for animals that might otherwise qualify for an exemption as "pre-Convention" animals under Article VII. However, the Service does not have authority under U.S. law to refuse to accept a valid pre-Convention certificate. If the Management Authority of the country of origin or of the country of re-export does not issue a pre-Convention certification, the Service will require a U.S. import permit and export permit or re-export certificate, as appropriate, from the exporting or re-exporting country in accordance with Article III of the Convention. In

addition, even if a valid pre-Convention certificate is issued by the exporting country, an import permit would be required under the Act for all panda loans (and an export permit, if the pandas are to leave the United States), even for pandas acquired prior to January 23, 1984 (the date of the final **Federal Register** notice listing the giant panda under the Act), as the pre-Act exemption (Section 9(b)(1) of the Act) does not apply to animals that are subsequently held in the course of a commercial activity (e.g., lease-hold agreement).

The Service will also continue its policy of approving applications only if it is sure that the proposed loan did not, or will not, contribute to removal of pandas from the wild, and that the non-commercial purposes for the proposed loan predominate.

This notice was prepared under the authority of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: February 21, 1995.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 95-7851 Filed 3-29-95; 8:45 am]

BILLING CODE 4310-55-P

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

Letters of Authorization to Take Marine Mammals

AGENCY: Notice of issuance of Letters of Authorization to take marine mammals incidental to oil and gas industry activities.

SUMMARY: In accordance with Section 101(a)(5) of the Marine Mammal Protection Act of 1972, as amended, and the U.S. Fish and Wildlife Service implementing regulations (50 CFR 18.27), notice is hereby given that Letters of Authorization to take polar bears and Pacific walrus incidental to oil and gas industry exploration activities have been issued to the following companies:

| Company | Activity | Date issued |
|---------------------------|-------------------|---------------|
| Western Geophysical | Exploration | Jan. 3, 1995. |
| Schlumberger Geco—Prakla. | Exploration | Jan. 3, 1995. |
| ARCO Alaska, Inc. | Exploration | Feb. 1, 1995. |

BP Exploration (Alaska) Inc., (BPX) and ARCO Alaska, Inc., (ARCO) were re-issued reoccurring Letters of

Authorization to incidentally take polar bears and walrus during development and production activities based upon

receipt of an annual monitoring report. BPX is authorized to incidentally take polar bear and walrus in the Prudhoe

Bay, Endicott and Milne Units. ARCO is authorized to incidentally take polar bear and walrus in the Kuparuk River Oilfield. Monitoring reports have been received and are on file at the Marine Mammals Management Office.

FOR FURTHER INFORMATION CONTACT: Mr. David McGillivray or Mr. John W. Bridges at the U.S. Fish and Wildlife Service, Marine Mammal Management Office, 1011 East Tudor Road, Anchorage, Alaska 99503, (800) 362-5148 or (907) 786-3810.

SUPPLEMENTARY INFORMATION: All Letters of Authorization were issued in accordance with U.S. Fish and Wildlife Service Federal Rules and Regulations "Marine Mammals; Incidental Take During Specified Activities" (58 FR 60402; November 16, 1993).

Dated: March 16, 1995.

Rowan W. Gould,

Acting Regional Director.

[FR Doc. 95-7807 Filed 3-29-95; 8:45 am]

BILLING CODE 4310-55-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

(AZ-050-05-1230-00; AZA 23275)

Arizona; Recreation Area Closure

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of closure.

SUMMARY: Notice is hereby given that the Bureau of Land Management is closing an area, until further notice, of public land known as the Paradise Cove Boat Ramp Recreation Area, or Joe Henry Boat Ramp, located on the Colorado River in Yuma County, Arizona. The area affected by this closure contains 35 acres, more or less.

San Bernardino Meridian, Arizona

T. 16 S., R. 22 E.,

Sec. 28, lots 2, 5, and 6, portion of S $\frac{1}{2}$ S $\frac{1}{2}$.

EFFECTIVE DATE: Upon first printing in **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Ed Perault, Supervisory Outdoor Recreation Planner, Yuma Resource Area, 3150 Winsor Avenue, Yuma, Arizona 85365, (602) 726-6300.

SUPPLEMENTARY INFORMATION: The closure is in response to concerns of public health and safety, excessive illegal dumping, and uncontrollable resource degradation. Future public access at Paradise Cove Boat Ramp Recreation Area will be considered in comprehensive planning efforts at a later date. Violations to this closure are punishable by a fine not to exceed

\$100,000 and/or imprisonment not to exceed 12 months.

Dated: March 24, 1995.

Maureen A. Merrell,

*Assistant District Manager, Administration/
Acting District Manager.*

[FR Doc. 95-7810 Filed 3-29-95; 8:45 am]

BILLING CODE 4310-32-P

[USFS, R-6, 595053; GP5-089; OR-51080]

Order Providing for Opening of Land; Oregon

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This action will open 106.70 acres of Federal land within the Winema National Forest to surface entry, mining, mineral leasing and geothermal, subject to the laws, rules, and regulations applicable to National Forest System lands. The land has been eliminated from a Forest Service exchange proposal.

EFFECTIVE DATE: April 28, 1995.

FOR FURTHER INFORMATION CONTACT:

Pamela Chappel, BLM Oregon/ Washington State Office, P.O. Box 2965, Portland, Oregon 97208, 503-952-6170.

SUPPLEMENTARY INFORMATION: Notice is hereby given that pursuant to the General Exchange Act of March 20, 1922, (16 U.S.C. 485, 486), the Federal Land Policy and Management Act of 1976, (43 U.S.C. 1716), and the Federal Land Exchange Facilitation Act of August 20, 1988, (43 U.S.C. 751), the following described Federal land has been eliminated from the initial exchange proposal between the Winema National Forest, 2819 Dahlia Street, Klamath Falls, Oregon 97601-7119, and the G Bar W Land & Cattle Company, Medford, Oregon:

Willamette Meridian

T. 38 S., R. 5 E.,

Sec. 11, lots 3 and 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described contains 106.70 acres in Klamath County.

At 8:30 a.m., on April 28, 1995, the land will be opened to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid existing applications received at or prior to 8:30 a.m., on April 28, 1995, will be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

At 8:30 a.m., on April 28, 1995, the land will be opened to location and

entry under the United States mining laws. Appropriation under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

At 8:30 a.m., on April 28, 1995, the land will be opened to applications and offers under the mineral leasing laws and the Geothermal Steam Act.

Dated: March 15, 1995.

Robert D. DeViney, Jr.,

Acting Chief, Branch of Realty and Records Services.

[FR Doc. 95-7758 Filed 3-29-95; 8:45 am]

BILLING CODE 4310-33-P

[CA-010-05-1430-01: CA-35288]

Notice of Realty Action; Land Use Lease of Public Lands, Amador County, California

AGENCY: Dept. of the Interior, Bureau of Land Management.

REALTY ACTION: Land Use Lease, Amador County, CA 35288.

SUMMARY: The following described public land is being considered for a non-competitive, 20-year, residential, land use lease pursuant to Section 302 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1713):

Amador County, California

T. 6N., R. 12E., M.D.M.

Sec. 9: Portion of lot 35.

Comprising .011 acre, more or less.

The above parcel of public land would be leased to Roy and Karen Rhoades to resolve a trespass situation. The lease would be issued for a term of 20 years. The land will be leased at fair market value.

The parcel would be subject to any prior existing rights. The lease area will include only that area of public land which is occupied by a portion of the lessees' residence. The occupancy to be authorized by the proposed land use lease was formerly authorized by Small Tract Lease Sac 055095, issued in 1965. The proposal is consistent with the Bureau's land use plans that support the settlement of trespass by lease when an undue hardship case is present.